

REMARKS

By this Amendment, Applicant amends claims 1, 8, 11, 12, and 18. Accordingly, claims 1-18 are pending in this application, claims 4-17 being withdrawn from consideration. Applicant respectfully requests reconsideration and prompt allowance of the pending claims at least in light of the following remarks.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Ho in the April 26 personal interview. Applicant incorporates a separate record of the substance of the interview into the following remarks.

The Office Action rejects claims 1-3 and 18 under 35 U.S.C. §103(a) over U.S. Patent 5,841,126 to Fossum et al. (hereinafter "Fossum"). Applicant respectfully traverses the rejection.

As agreed during the personal interview, Fossum does not disclose, teach, or suggest "a first capacitor that stores the electronic signal provided by the sensor; a second capacitor that stores the electronic signal provided by the sensor; and a controller that selectively stores the entirety of the electronic signal provided by the sensor in either the first capacitor or the second capacitor," as recited in claims 1 and 18. Thus, as agreed during the personal interview, claims 1 and 18 are patentable over Fossum.

Further, Applicant respectfully asserts that claims 2 and 3 are patentable over Fossum for at least the reasons that claim 1 is patentable, as well as for the additional features they recite. Accordingly, Applicant respectfully requests withdrawal of the rejection.

The Office Action rejects claims 1-3 and 18 under 35 U.S.C. §103(a) over U.S. Patent 6,518,558 to Böhm et al. (hereinafter "Böhm"). Applicant respectfully traverses the rejection.

As discussed in detail during the personal interview, Böhm does not disclose, teach, or suggest "a controller that selectively stores the entirety of the electronic signal provided by the sensor in either the first capacitor or the second capacitor," as recited in claims 1 and 18. Böhm discloses an image sensor 01 that is adjusted to be particularly sensitive to either the red, green, or blue spectrum (col. 9, lines 6-42). The image sensor 01 generates a signal that is then stored in a corresponding capacitor - capacitor 8 if the image sensor 01 was adjusted to be red sensitive, capacitor 12 if the image sensor 01 was adjusted to be green sensitive, or capacitor 16 if the image sensor 01 was adjusted to be blue sensitive (id). Finally, the three signals stored in capacitors 08, 12, and 16 are combined to form a complete image.

Applicants respectfully assert that there are two interpretations of the disclosure in Böhm that relate to Applicant's claims 1 and 18.

First, each of the red signal, green signal, and blue signal may be considered separately equivalent to Applicant's claimed "entirety of the electronic signal provided by the sensor." According to this interpretation, if each of the red signal, green signal, and blue signal may be separately considered the entirety of electronic signal provided by the sensor, Böhm does not disclose "a controller that selectively stores the entirety of the electronic signal provided by the sensor in either the first capacitor or the second capacitor," because each of the red signal, green signal, and blue signal may be only be stored in its corresponding single capacitor 08, 12, and 16 (col. 9, lines 6-42). Thus, according to the first interpretation, claims 1 and 18 are patentable over Böhm.

Second, each of the red signal, green signal, and blue signal may be considered a component of the final read out image including the red signal, green signal, and blue signal because the final image includes the combined red signal, green signal, and blue signal (col. 2, lines 36-54). According to this interpretation, if each of the red signal, green signal, and

blue signal are only part of the entirety of electronic signal provided by the sensor and that represents the image provided to the two-dimensional array of pixels, Böhm does not disclose "a controller that selectively stores the entirety of the electronic signal provided by the sensor in either the first capacitor or the second capacitor," because only a portion of the entirety of the image is stored in each of the capacitors 08, 12, and 16 (col. 9, lines 6-42). Thus, according to the first interpretation, claims 1 and 18 are patentable over Böhm.

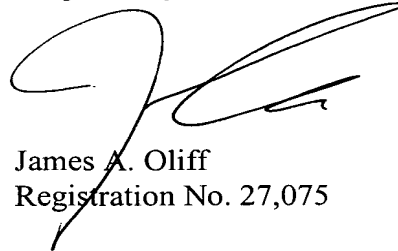
According to both of the above interpretations, claims 1 and 18 are patentable over Böhm. Further, Applicant respectfully asserts that claims 2 and 3 are patentable over Böhm for at least the reasons that claim 1 is patentable, as well as for the additional features they recite. Accordingly, Applicant respectfully requests withdrawal of the rejection.

Finally, claims 1 and 18 are generic to all species identified in the October 5, 2004 Election of Species Requirement. Claims 4-17 recite or incorporate at least the above-discussed allowable features of claims 1 and 18. Thus, Applicant respectfully requests that withdrawn claims 4-17 be rejoined and allowed in accordance with MPEP §809.02(c)(B)(1).

In view of at least the foregoing, Applicant respectfully submits that this application is in condition for allowance. Applicant earnestly solicits favorable reconsideration and prompt allowance of claims 1-18.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicant invites the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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